

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 04-CR-80439
HON. GEORGE CARAM STEEH

DANIEL LEE STUART,

Defendant.

_____ /

ORDER DENYING MOTION FOR RECONSIDERATION

Defendant Daniel Stuart moves for reconsideration of this court's January 9, 2006 Order denying his demand for a Franks¹ hearing. Generally, and without restricting the court's discretion, the court will not grant a motion for reconsideration that merely presents the same issues ruled upon by the court, either expressly or by reasonable implication. E.D. Mich. LR 7.1(g)(3). The movant must demonstrate a palpable defect by which the court and the parties have been misled. Id. Defendant merely presents the same issues that have been thoroughly reviewed and ruled upon by the court, and fails to demonstrate a palpable defect in the court's rulings. Accordingly,

Defendant's motion for reconsideration is hereby DENIED.

SO ORDERED.

s/George Caram Steeh

GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

Dated: January 26, 2006

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on January 26, 2006, by electronic and/or ordinary mail.

s/Josephine Chaffee

Secretary/Deputy Clerk

¹ Franks v. Delaware, 438 U.S. 154 (1978) .